

ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

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*March 26, 2009  
Agenda Item 5.0*

Memorandum

DATE: March 19, 2009  
TO: Congestion Management Agency Board  
FROM: Dennis R. Fay, Executive Director  
SUBJECT: EXECUTIVE DIRECTOR'S REPORT

**Sacramento Report**

I have attached a report from the CMA's Sacramento representative.

**Washington, DC Report**

I have attached a report from the CMA's Washington, DC representative. The Chair and I joined ACTIA in a trip to Washington, DC to explain Alameda County's transportation needs. The attached chart from MTC shows FY 2009 appropriations earmarks in the Bay Area. Representative Ellen Tauscher has been offered an Under Secretary of State position by Sec. Clinton. She has accepted the offer and the vetting process is just beginning, so she will continue in the House for at least the near term.

**American Recovery and Reinvestment Act**

The American Recovery and Reinvestment Act (ARRA) was signed into law on February 17, 2009 by President Obama. The Law includes \$27.5 billion in Federal Highway Administration (FHWA) funding and \$8.4 billion in Federal Transit Administration (FTA) funding. The Metropolitan Transportation Commission (MTC) will receive approximately \$154 million through the Surface Transportation Program sub-allocation program and \$341 million in FTA formula funds for a total of a regional ARRA formula distribution of \$495 million. Alameda County will receive \$24.6 million for local street and road rehabilitation and \$70 million for the Oakland Airport Connector. For transit rehabilitation, funds are programmed for BART (\$64.4 million), AC Transit (\$25.7 million), LAVTA (\$3.0 million) and Union City (\$297,000).

**Transportation Bond Measure Projects**

I-580 Eastbound HOV Lane Project – The contractor for the first contract has completed work in the median and traffic has shifted in order for the outside widening to begin. The second

contract received a California Transportation Commission (CTC) allocation of funds at the October meeting and was advertised on January 5, 2009. Bid opening is scheduled for May 12, 2009. The CMA issued a Notice to Proceed to the design consultant to prepare the project development package for the auxiliary lanes between Isabel and North Livermore Avenue and North Livermore Avenue and First Street.

I-580 Westbound HOV Lane Project – The draft Project Report and draft Environmental Document are being reviewed by Caltrans. The design phase of this project began in June 2008. The ACCMA has reviewed the preliminary design package (35 percent PS&E). The CMA and the consultant are preparing a strategy to split the project into smaller construction contracts. The CMA is preparing a corrective action plan to remove the bus ramp from the project scope for review by the CTC. The draft environmental document is scheduled for circulation for public comments on March 25, 2009 and will be available at the CMA website.

I-580/Route 84/Isabel Interchange – This project is sponsored by the City of Livermore and received \$68 million from the CMIA bond fund program. The project was split into three smaller contracts. Contract one, administered by Caltrans received an allocation of construction funds from CTC in October 2008. The CTC allocated the construction funds for the two contracts administered by the City of Livermore at its December 2008 meeting. The three contracts were advertised in January.

I-880 Southbound HOV Lane Extension (Hegenberger to Marina) – Environmental and preliminary engineering services are ongoing. A 35 percent submittal package has been completed. The project has been divided into two construction packages to attract more bidders. At the request of the City of San Leandro, the ACCMA is overseeing the Marina Boulevard Interchange Project Study Report (PSR).

I-80 Integrated Corridor Mobility (ICM) Project – Meetings with stakeholders are being held to define the Traffic Light Synchronization Program (TLSP) functional requirements. The data collection plan was approved and is currently being implemented. A Delivery Action Plan, addressing the project's revised schedule, was developed by Caltrans, MTC, CMA and the CCTA and was submitted to the California Transportation Commission (CTC). A 20 member Technical Advisory Committee (TAC) has been formed for the project.

I-880 North Safety and Operational Improvements at 23rd/29th Avenues –The Project Report and Environmental Document are underway and preliminary engineering and environmental technical studies have commenced. .

#### **Status of Corridor Studies/Projects**

I-680 Express Lane Project – The CMA has partnered with Caltrans on the design of this project. The project has been split into six contracts: three roadway contracts, one landscape contract, an environmental mitigation contract and a system integrator contract. Bay Cities, the contractor for the first contract, is continuing to work aggressively to complete the project.

Contracts #2 and #3 were advertised in September and bids were opened on December 10, 2008 and on December 16, 2008, respectively. The plan is to award both contracts #2 and #3 in April 2009. A contract has been executed with Electronic Transaction Consultants (ETC) for the System Integration work on the Express Lane project. The Notice to Proceed with Phase I of the contract was issued in February 2009.

I-580 Traffic Management Plan Project – The Center-to-Center Program communication hubs project was awarded to DKS Associates. This communication package will link various Transportation Management Centers in the Bay Area which include communication centers at the Metropolitan Transportation Commission (MTC) and Alameda County SMART Corridors. The Software Integration Package was awarded to Irvine Global Consulting and will be completed in June 2009. The integration will link cameras, detectors and changeable message signs along I-580 with communication centers at the Cities of Dublin, Livermore, Pleasanton and Alameda County SMART Corridors. The project is also installing ramp metering on Grant Line Road, North Flynn Road and Portola Avenue, funded from a MTC grant. These projects are on schedule with the completion date of June 30, 2009.

I-580 Corridor ROW Preservation – The CMA consultant prepared environmental documents (Categorical Exemption) for six properties that are currently available for acquisition. Upon completion of the funding agreement with ACTIA, the CMA will begin discussions with Caltrans to establish a partnership agreement for this project.

I-580 Westbound Auxiliary Lane Project – This ACTIA Measure B funded project consists of two westbound I-580 auxiliary lane segments from Airway Boulevard to Fallon Road and from Fallon Road to Tassajara Road. ACTIA is the lead agency for the environmental phase and has completed the NEPA environmental document to clear the Fallon to Tassajara Road auxiliary lane segment. CMA's consultant is responding to Caltrans comments on the 95 percent PS&E. An amendment to the project specific agreement with ACTIA is underway. A project specific funding agreement between the City of Dublin and the CMA is being prepared.

I-580 Eastbound High Occupancy Toll (HOT) Lane: Technical Studies and Preliminary Engineering – Preliminary Engineering and preparation of the Environmental Document began in July 2008. The consultant is addressing Caltrans' comments on the traffic operations analysis report. The CMA has requested that additional studies be prepared to investigate the feasibility of a double HOT lane. A contract change order to install the infrastructure of the civil elements of the HOT Lane was issued to the EB HOV project

I-680/I-880 Cross Connector Project – Team meetings and technical studies are currently on hold pending agreement with Caltrans regarding project oversight support.

I-580 Sound Wall Design – San Leandro and Oakland – The San Leandro soundwall Final Design Package was approved by Caltrans in late January 2009. All temporary construction easements from property owners have been obtained and the project is scheduled to be advertised in March 2009. The Design Package for the Oakland soundwall is underway. The request for the obligation of federal funds has been submitted to Caltrans.

I-880 Corridor System Management Plan – The I-880 Corridor System Management Plan (CSMP) TAC met on November 10, 2008. The results of the scenario analysis proposed to improve the performance of the corridor were discussed. The consultant team has been working since then to incorporate TAC input. This study, sponsored by Caltrans, will provide a detailed evaluation of the I-880 Corridor to determine what transportation strategies make the most sense and when they should be implemented.

I-580 Corridor System Management Plan –A corridor stakeholder meeting for the I-580 East Corridor System Management Plan (CSMP) was held on January 27, 2009 to discuss development of the CSMP. The next corridor stakeholder meeting is scheduled for April 8, 2009 at 2 p.m. The CSMP is a requirement of the Corridor Mobility Improvement Account (CMIA) I-Bond funding, and as a result is a requirement for the CMIA-funded improvement projects along the I-580 Corridor in Alameda County. The final technical memorandum describing the baseline existing conditions and trends for forecast years 2015 and 2035 has been developed. Subsequently, the final technical draft report presenting the proposed improvement strategies for addressing existing (2008) and future (2015 and 2035) congestion in the I-580/1-238 corridor has been developed and was distributed in February 2009.

SR 24 Corridor System Management Plan – The draft mitigation strategies were presented to Alameda County and Contra Costa jurisdictions on March 11, 2009. A technical draft memorandum describing the performance evaluation criteria based on vehicle delay and congestion and providing an evaluation of performance measures and analysis of travel time reliability was developed and distributed in February 2009. A public outreach meeting is scheduled for March 24, 2009 at 2 p.m.

Ardenwood Park & Ride Lot Project – Construction of the Park and Ride Lot began on September 18, 2008 and completion is anticipated in June 2009. Construction was suspended in mid-November 2008 pending issuance of a final building permit by the City of Fremont. A permit was issued in January 2009 and construction has resumed.

BART to Warm Springs –Bids for the Final Design on the Fremont Central Park Subway ("Subway") are scheduled to be opened on March 31, 2009. The BART Board is expected to award the contract in late April or early May and NTP is expected to be issued in June. Preliminary engineering on the Line, Track Station and Systems ("LTSS") contract is 75 percent complete. A Request for Qualifications (RFQ) for the LTSS contract is scheduled to be issued in March. A Request for Proposal (RFP) is scheduled to be advertised this summer, with a best-value award scheduled for mid-2010. Permits from the US Army Corps of Engineers and CA Dept of Fish and Game are expected shortly.

BART to Silicon Valley (Silicon Valley Rapid Transit Corridor-SVRTC) – The Draft Environmental Impact Statement (EIS) was released for public review on March 11, 2009 with the Final EIS to be circulated in January 2010. Comments on the DEIS are due May 8, 2009.

Caldecott Tunnel 4th Bore – The Final Environment Document for the project is available for review on the project website at: [www.dot.ca.gov/dist4/caldecott/](http://www.dot.ca.gov/dist4/caldecott/). CMA staff continues to coordinate with Caltrans on the project delivery through the Project Leadership Team (PLT) and

the Executive Steering Committee (ESC). Caltrans has reached agreement with the Fourth Bore Coalition to settle the litigation that was filed against the project. The project will be advertised as soon as a CTC allocation vote is approved.

Dumbarton Rail Corridor – The Draft EIR is progressing and is expected to be released by spring 2009.

Grand/MacArthur Corridor Transit Enhancements – This project is a key first step towards bringing major transit improvements to the Grand Avenue/MacArthur Boulevard corridor. The limit of this corridor is from Eastmont Mall to the Transbay Terminal in San Francisco. This SMART/Bus Rapid Transit (BRT) Corridor implementation will be modeled after the existing San Pablo Avenue and International/Telegraph SMART/BRT Corridors. On July 31, 2008, the CMA Board awarded the Grand/MacArthur Corridor Transit Enhancement Project construction contract to Ray's Electric, the lowest responsive bidder. Construction started September 22, 2008. This project is on schedule with a completion date of June 30, 2009.

SMART Corridors Program – CMA's SMART Corridors partnership includes 29 public agencies. The CMA provides video and traffic data to the public and to transportation managers as well as emergency service providers in real-time. The public website address for the SMART Corridors is: <http://www.smartcorridors.com>. The CMA is working with the Alameda County Public Works Agency on the implementation of Transportation Management Centers (TMC). CMA is also leading the project to implement ITS on Webster Avenue in the City of Alameda. CMA staff is also managing various contracts to operate and maintain SMART Corridors components.

San Pablo Avenue Rapid Bus Stop Improvements - The CMA is taking the lead in implementing approximately \$2.6 million in improvements to the Rapid Bus stops in Alameda County funded through AC Transit using Measure B funds. At the request of the cities, the CMA and the funding agencies have agreed to implement streetscape amenities as an alternative to the replacement of crosswalks. This will extend the project completion date to June 2009. All project elements are completed with the exception of bus-bulb-outs and median islands which will start by early April 2009. This project is on schedule with a completion date of June 30, 2009.

State Route 84 HOV Extension – Dumbarton Corridor – The HOV lane was open to traffic on September 5, 2008 and the project closeout is underway.

Central Alameda County Freeway System Study – A draft Project Initiation Document (PID) is being finalized. The next Policy Advisory Committee (PAC) meeting is anticipated to be held in April 2009 to release the Local Alternative Transportation Improvement Program (LATIP) and supporting documentation for local and California Transportation Commission approval. After PAC approval of the submittal package is obtained, local approvals will be sought similar to the process used for the Financially Unconstrained LATIP.

MTC's Lifeline Transportation Program – Based on the approved State budget, the STA funds for the Lifeline program in Alameda County have been reduced by \$1.1 million in Tier 1 and an

estimated \$3 million in Tier 2. The Tier 2 budget is subject to state budget approval in FY 2010/11. The Board will review a revised Lifeline program for approval at the April Board meeting. The intent of the Lifeline Transportation Program is to fund projects that increase transportation mobility for low income residents in Alameda County.

Berkeley/Oakland/San Leandro BRT – The BRT TAC meeting was held on March 12, 2009 at 10:30 a.m. to prepare for the BRT Policy Steering Committee. The BRT Policy Steering Committee was held on March 20, 2009 at 3:00 p.m.

Transportation and Land Use Work Program – CMA staff is discussing TOD TAP scopes with two jurisdictions. Staff is also coordinating within the county to determine how to integrate TOD into climate change goals.

Community Based Transportation Plan – The City of Alameda Community Based Transportation Plan consultant team is preparing a summary of the community outreach,. The Plan is expected to be complete in June 2009.

Guaranteed Ride Home Program – Annual employee and employer surveys have been distributed to those registered in the program. The results will be incorporated into the Annual Evaluation in May 2009. In the most recent month, 31 new employees enrolled in the program. During this time five trips were taken, including one rental car trip. The average cost per taxi trip is \$84.07 and the average trip length is 39 miles. The average one-way trip distance for a rental car ride is 47.8 miles. The average savings for a rental car ride compared to a cab is \$72.80 per ride.

Truck Demand Model – The Task Force met on March 17, 2009 to discuss data collection. The next Task Force meeting is on April 21, 2009 at 10:00 a.m.

Update of the Countywide Travel Demand Model – The updated model with the P2007 land use is available. The model plots and documentation will be posted on the website in March 2009.

Truck Parking Facility Feasibility and Location Study – The Final Report was approved by the Board at its December 2008 meeting. The Final Report has been posted on the website. Staff will be preparing an Implementation Plan for Board consideration by June 2009.

#### Update on Climate Action Activities

As follow up to the December 2008 CMA Board retreat, staff is preparing draft Climate Action priorities to review with the CMA Board as well as investigating ways to strengthen the Land Use Analysis Program and Transportation Demand Management elements of the CMP to address climate change. The CMP elements will be updated as part of the on-going 2009 CMP update. The Board will review this information at its April 2009 meeting. Staff attended a Climate Change Forum hosted by the County. At the meeting, the CMA was requested to co-host a follow up meeting on transportation and climate change in conjunction with ACTIA and Supervisor Haggerty's office. Since the CMA has been hosting climate change workshops focusing on transportation and land use for the jurisdictions since November 2008, it was agreed that this venue would be expanded to incorporate the outcomes of the County's Climate Change

Forum. The first meeting of the expanded group was held on March 11 at 10 a.m. in ACTIA's offices. The next meeting will be held on May 13, 2009 at 10 a.m.

Countywide Transportation Plan/Regional Transportation Plan

MTC staff has postponed adoption of the Draft Transportation 2035 to consider how to address recent actions by Sacramento lawmakers on the State budget, particularly multi-year cuts in State Transit Assistance (STA) funds for transit operations, and new information from VTA about the Measure A program and revised sales tax revenue forecasts. MTC now proposes to adopt the final RTP in April. Once the RTP is finalized, the Countywide Transportation Plan will be brought back to the Board to review potential changes. This is anticipated to occur at the May meeting.

**Environmental Documents/General Plan Amendments Reviewed**

Since my last report, one environmental document, notices of preparation or general plan amendments has been received or reviewed. Responses are attached.

**CMA Board and Committee Meeting Dates**

Board meetings will be at 3:30 p.m. in the ACTIA offices. Administration & Legislation Committee meetings will be at 11 a.m. in the CMA offices in Oakland unless otherwise noted. Plans & Programs Committee meetings will be at 12 noon in the CMA offices in Oakland unless otherwise noted.

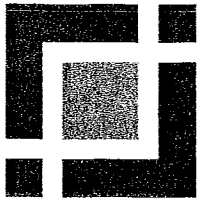
<u>CMA Board</u>	<u>Plans &amp; Programs</u>	<u>Administration &amp; Legislation</u>
April 23, 2009	April 13, 2009	April 13, 2009
May 28, 2009	May 11, 2009	May 11, 2009
June 25, 2009	June 8, 2009	June 8, 2009
July 23, 2009	July 13, 2009	July 13, 2009

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**Suter-Wallauch-Corbett  
& Associates**  
Government Relations

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Attachment 1

March 18, 2009

TO: Dennis Fay, Executive Director  
Alameda County Congestion Management Agency

FR: Suter, Wallauch, Corbett & Associates

RE: Legislative Update

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***"We are not out of the woods yet."*** Those words were the opening volley from the representative of the Department of Finance at the Assembly Budget Committee's hearing entitled "California's Cash Position: Debt, Ability to Borrow, and impact on Public Projects." As it turned out, it seemed to be an understatement.

- The DoF economist forecast that, "assuming no big surprises," General Fund cash will be at zero at the end of the year. Further it has been at zero for the past seventeen months!
- The State has been meeting its cash flow needs in large part through internal borrowing from other funds. There will only be \$6.9 billion in other funds available to borrow from at the close of this fiscal year - not enough to get through the month of July, which is typically the first of three lean months for revenues.
- Staff from the State Controller's Office (SCO) confirmed the DOF report, saying the General Fund has not had a positive cash balance since July of 2007. He explained the Controller's policy for paying the State's bills. The Controller seeks cash from these sources in the following order: 1) the General Fund, 2) other state funds, 3) borrow externally, 4) seek help from the Legislature, 5) delay payments, and 6) issue IOUs.
- The Controller staff noted that there will be a cash shortage in mid-April and need to borrow again. Further, "the budget year (2009-10) will be a challenge."
- The State Treasurer's representative at the hearing had only slightly better news. Basically, now that the State has a budget in place it will be easier to borrow in the commercial market. However, that market is not what it used to be and its capacity to loan is unknown. She said that the Treasurer will attempt to sell up to \$1.5 billion in short term paper and market as many longer term bonds for which there is capacity.

- The Department of Finance also reported that the 276 bond-funded projects that were on the “exempt from stoppage list” in January need \$1 to \$1.5 billion to get through June. No bills have been paid for these projects since January, except some that had been received in the prior calendar year. This does not bode well for those projects that did not even make the exempt list.

**LAO's Dire Forecast:** LAO piled on the bad news with release of its Fiscal Outlook for the 2009-10 fiscal year. The LAO believes that the state's economic and revenue outlook continues to deteriorate and will result in revenues falling \$8 billion short of current projections. The LAO points out that the deficit could grow by an additional \$6 billion to \$14 billion if the propositions authorizing lottery bonds, the redirection of mental health funds, and childhood development funds fail on May 19. A copy of the LAO's report can be found at [http://www.lao.ca.gov/2009/bud/feb\\_overview/feb\\_overview\\_031309.pdf](http://www.lao.ca.gov/2009/bud/feb_overview/feb_overview_031309.pdf)

## LEGISLATION

**Stimulus Funds:** While not in print yet, the compromise measure to allocate the American Recovery and Reinvestment Act funds dedicated to transportation will be amended into AB 20 XXX. The Senate could vote on AB 20 XXX as early as tomorrow.

The proposal would direct 62.5% (\$1.6 billion) of the federal stimulus funds through the STP formula to regions and keep 37.5% (\$963 million) at the state level. The compromise plan includes intent language for regions to program 40% of the funds to local street and road maintenance projects. Last week the CTC agreed to dedicate \$625 million of the state's share to SHOPP project. The remaining \$338 million will be used to keep Prop 1B projects moving. Other provisions of the agreement would give bicycle and pedestrian project priority for transportation enhancement (TE) funds, as well as encourage the use of Conservation Corps in the delivery TE projects. Language has also been added requiring progress reports on the use of the funds.

Bill	Topic	Status	Client-Position
AB 231 (Huffman) I-02/05/2009	California Global Warming Solutions Act of 2006: Climate Protection Trust Fund.	03/04/2009-Referred to Com. on NAT. RES. (03/04/2009-A NAT. RES.)	
	NOTE: This bill amends existing law to require the Air Resources Board to adopt a schedule of fees by March 2010, which would fund the administration of the AB 32 program. The bill provides goals for the fee program which include minimizing costs, reduce disproportionate impacts to low income communities, provide incentives to reduce greenhouse gas emissions, and implement market based compliance mechanisms.		

AB 277 (Ammiano) I-02/12/2009	Transportation: local retail transaction and use taxes: Bay Area.	03/09/2009-Referred to Com. on L. GOV. (03/09/2009-A L. GOV.)	
	NOTE: This bill amends the Bay Area County Traffic and Transportation Funding Act, which some Bay Area counties have used to establish local transportation sales tax programs. The bill deletes the option to specify the members of the authority board in the ordinance that is placed on the ballot. Under AB 277 the members of the board would only be specified only in the county transportation expenditure plan.		
AB 338 (Ma) I-02/18/2009	Transit village developments: infrastructure financing.	03/09/2009-Referred to Com. on L. GOV. (03/09/2009-A L. GOV.)	
	<p>NOTE: This is the reintroduction of AB 1221 (Ma) from last session. This bill would allow a city or county to create a transit village infrastructure financing district.</p> <p>For the purpose of financing transit improvements this bill would allow a local agency to establish an infrastructure financing district (IFD) without a public vote. The IFD would dedicate the incremental growth in property tax values to transit improvements. The bill would also require the local agency to dedicate 20% of the increment to low income housing projects within the district. AB 338 does not alter the existing exemption for school funds and the local agency must negotiate with and get the approval of the other taxing jurisdictions before their share, if any, is dedicated to the IFD.</p>		
AB 497 (Block) I-02/24/2009	Vehicles: high-occupancy vehicle lanes: used by physicians.	03/12/2009-Referred to Com. on TRANS. (03/12/2009-A TRANS.)	
	NOTE: This bill would allow a physician to use an HOV lane regardless of occupancy requirements when traveling to an emergency call if the car displays an insigne to be developed by the Department of Motor Vehicles.		

AB 522 (Blumenfield) I-02/25/2009	Transportation: bond funds.	03/12/2009-Referred to Com. on TRANS. (03/12/2009-A TRANS.)	
	<p>NOTE: This bill would require the CTC to ensure that Prop 1B bond funds remain available to a project sponsor for another project in the event the project sponsor uses federal economic stimulus dollars to deliver the project instead of bond dollars.</p> <p>This is similar to a requirement in the compromise proposal that Caltrans is sponsoring for the allocation of the federal stimulus funds. The compromise proposal will be amended into AB 20 XXX.</p>		
AB 561 (Carter) I-02/25/2009	Highway workers: assault and battery.	03/12/2009-Referred to Com. on PUB. S. (03/12/2009-A PUB. S.)	
	<p>NOTE: Existing law establishes an offence of \$2000 or imprisonment for up to one year for assaulting a highway worker. AB 561 expands the definition of "highway worker" to include employees of a city or county working on a local street or road.</p>		
AB 610 (Caballero) I-02/25/2009	Local infrastructure.	03/16/2009-Referred to Com. on L. GOV. (03/16/2009-A L. GOV.)	
	<p>NOTE: This bill directs the Governor's Office of Planning and Research to advise local governments on the role public-private partnerships can play in the development, operation, and maintenance of local infrastructure projects. The bill also directs OPR to operate as a clearing house for local governments and private entities on public-private infrastructure projects.</p>		
AB 619 (Blumenfield) I-02/25/2009	Transportation projects: federal funds: delays.	02/26/2009-From printer. May be heard in committee March 28. (02/25/2009-A PRINT)	
	<p>NOTE: This bill would require Caltrans to notify the Legislature within 30 days about projects that will be delayed due to state cash flow or other funding issues. The notification applies only to those projects where the delay places federal funds at risk.</p>		

AB 652 (Skinner) I-02/25/2009	Vehicles: vehicle length limitation.	02/26/2009-From printer. May be heard in committee March 28. (02/25/2009-A PRINT)	AC Transit-Sponsor
	NOTE: This bill amends existing law to increase by 4 inches the distance a bike rack can be extended from the front of a bus. The increase in length will allow transit operators to install bike racks that can accommodate three bicycles at one time.		
AB 670 (Berryhill, Bill) I-02/25/2009	Vehicles: high-occupancy vehicle lanes: veterans.	02/26/2009-From printer. May be heard in committee March 28. (02/25/2009-A PRINT)	
	NOTE: This bill would exempt from HOV occupancy restrictions any vehicle driven by a veteran or active duty member of the United States Armed Forces. The vehicle must display a distinctive decal approved by the DMV.		
AB 726 (Nielsen) I-02/26/2009	Transportation capital improvement projects.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: This bill would amend existing law to allow regions to program local road rehabilitation projects in the STIP.		
AB 729 (Evans) I-02/26/2009	Public contracts: transit design-build contracts.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: This bill would delete the sunset date on existing law that allows transit operators to use design-build contracting on transit projects.		

AB 732 (Jeffries) I-02/26/2009	Transportation projects: design-sequencing contracts.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: Existing law establishes a two phase demonstration program for the use of design-sequencing. The first phase has been completed, and this bill extends the sunset date for the second phase from January 1, 2010, to January 1, 2012.		
AB 733 (Galgiani) I-02/26/2009	High-Speed Rail Authority.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: This bill authorizes the High Speed Rail Authority to consider the creation of jobs in California when awarding major contracts or purchasing high-speed train and equipment.		
AB 744 (Torrico) I-02/26/2009	Transportation: Bay Area high-occupancy vehicle network.	03/01/2009-From printer. May be heard in committee March 30. (02/26/2009-A PRINT)	
	NOTE: This bill is essentially a spot bill that would grant the Bay Area Toll Authority (BATA) the authority to finance, build, and operate a network of high occupancy toll (HOT) lanes in the Bay Area.		
AB 782 (Jeffries) I-02/26/2009	Regional transportation plans: sustainable communities' strategies.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: This bill makes numerous changes to SB 375 and the implementation of Sustainable Communities Strategies. The bill includes some of the changes requested by the Governor when signing SB 375, but this bill proposes to exempt numerous other projects from SB 375. AB 782 includes the following changes  Limits legal challenges of an approved SCS and projects consistent with the SCS.		

	<p>Adds to the Regional Targets Advisory Committee representatives from commercial builders, business community, and entities that fund transportation projects.</p> <p>Exempts from SB 375 all projects funded by Prop 1B and the federal stimulus funds, and projects contained in a local transportation sales tax plan that was adopted before December 31, 2010.</p> <p>Exempts projects, including transportation projects, from CEQA if the project is consistent with the SCS.</p>		
AB 798 (Nava) I-02/26/2009	California Transportation Financing Authority: toll facilities.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	<p>NOTE: This is the reintroduction of AB 3021 from last year. This bill would create the California Transportation Financing Authority (CTFA). The purpose of the Authority is to establish a source for local agencies to publicly finance toll projects and other transportation projects.</p> <p>The definition of entities that may apply for funds includes the state and any local or regional transportation planning agency. The definition of a project includes highways, local streets, rail projects, and projects supplemental to existing facilities, but it is unclear if this includes transit projects other than rail.</p>		
AB 815 (Ma) I-02/26/2009	Public contracts: plans and specifications.	03/01/2009-From printer. May be heard in committee March 30. (02/26/2009-A PRINT)	
	<p>NOTE: This is the reintroduction of AB 983. This bill is described as clarifying existing law with respect to public agencies providing full, complete and accurate plans and specifications for public works projects. However, concerns were expressed last year by local governments that these changes would obligate the public agency to bear the full burden for any errors while releasing the contractor from their responsibility to review plans for errors.</p>		

AB 878 (Caballero) I-02/26/2009	Infrastructure financing.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: This bill would authorize local government agencies to engage in public-private partnerships for the construction and operation of local infrastructure projects. The infrastructure projects range from sewer systems and energy production to municipal improvement, rail, highways, tunnels, and buildings.		
AB 881 (Huffman) I-02/26/2009	Local transportation authorities: greenhouse gas emissions.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: This bill amends the Local Transportation Authority and Improvement Act (PUC Section 180000) to authorize transportation authorities created pursuant to this act to have the powers and duties to implement projects and programs that comply with AB 32. The bill also contains provisions that direct the Sonoma County Transportation Authority to work with other entities in the County to implement AB 32.		
AB 922 (Miller) I-02/26/2009	Diesel fuel tax exemption: biodiesel.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: This measure would exempt biodiesel from the state excise tax for five years starting July 1, 2009 to June 30, 2014.		
AB 949 (Logue) I-02/26/2009	Transportation: State-Local Partnership Program.	02/27/2009-From printer. May be heard in committee March 29. (02/26/2009-A PRINT)	
	NOTE: The bill would amend the Prop 1B State and Local Partnership Program to expand the definition of local funds to include any fee or tax, including revenue from mineral or resource extraction fees or taxes. The local fee or tax is not required to be		



	dedicated to transportation improvements.		
AB 1072 (Eng) I-02/27/2009	Public Transportation Modernization, Improvement, and Service Enhancement Account.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: As currently drafted this bill deletes the sunset date on the implementation language for the allocation of public transit capital funds in Prop 1B. The bill is sponsored by the California Transit Association and it will likely be amended to include other clean-up changes to the implementation language.		
AB 1135 (Skinner) I-02/27/2009	Vehicles: registration renewal.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: The bill would require the owner of a vehicle to report the odometer reading to the Department of Motor Vehicles when renewing the vehicle registration. The bill contains finding and declaration regarding the need for more accurate vehicle miles traveled data in order to improve transportation planning and estimates of air quality impacts.		
AB 1158 (Hayashi) I-02/27/2009	Transit village plan.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: This bill amends the Transit Village Act to include in the list of facilities and characteristics that creation of a transit village district would enhance may include land uses that provide a direct linkage to educational facilities.		
AB 1175 (Torlakson) I-02/27/2009	Toll bridges: seismic safety retrofit program.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: This bill adds the Antioch and Dumbarton Bridges to the toll bridge seismic safety program, and it specifies that the cooperative agreement between Caltrans and BATA would also apply to these bridges.		

AB 1204 (Huber) I-02/27/2009	Environment: California Environmental Quality Act (CEQA): sustainable community strategy.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: SB 375 created an exemption to CEQA for residential and mixed use projects if the projects are located within a Sustainable Communities Strategy area and meets several specified requirements. AB 1204 would delete the housing and mixed use limitation, and apply the CEQA exemption to any project that meets requirements specified in SB 375.		
AB 1219 (Evans) I-02/27/2009	Public transportation: Solano County Transportation Authority.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: This bill would authorize the Solano County Transportation Authority to file a claim for local TDA funds available for transit service with Solano County. The bill would also specify that Solano Transportation Authority is an eligible claimant for State Transit Assistance funds apportioned under the population formula.		
AB 1321 (Eng) I-02/27/2009	Environment: Strategic Growth Council.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: This bill would direct the Strategic Growth Council to develop strategies to streamline mitigation of infrastructure projects.		
AB 1342 (Evans) I-02/27/2009	Local taxation: income taxes: vehicle license fees.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: This bill would authorize the Board of Supervisors to adopt an ordinance to impose a personal income tax and/or a vehicle license fee. The bill does not require voter approval, but it states that the ordinance must comply with all applicable voter requirements.		

AB 1381 (John A. Perez) I-02/27/2009	High-occupancy toll lanes.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: This bill makes some clarifying changes to the HOT lane demonstration program in LA County. The bill would require the Los Angeles County Metropolitan Transportation Authority to work with the Highway Patrol on the design, and the bill states that the HOT lane program shall not prevent other improvements within the corridor.		
AB 1386 (Hayashi) I-02/27/2009	State Highway Route 238.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: AB 1386 amends existing law to allow for the proceeds from the sale of state owned right-of-way along the proposed Route 238 corridor to be used for both state and local transportation improvements. Existing law limits the use of these funds to state facilities.		
AB 1464 (Smyth) I-02/27/2009	Transportation: cycling corridors.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: AB 1464 is a spot bill that contains legislative intent language to enact legislation that designates portions of the state highway system as cycling corridors of significance and to encourage local governments to establish local and regional cycling corridors of significance.		
AB 1500 (Lieu) I-02/27/2009	High-occupancy lanes: single occupancy vehicles: sunset date.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: This bill extends the sunset date from January 1, 2011 to January 1, 2016 on existing law that allows specified types of vehicles to use an HOV regardless of the number of occupants.		
AB 1502 (Eng) I-02/27/2009	Vehicles: HOV lanes.	03/02/2009-Read first time. (02/27/2009-A PRINT)	
	NOTE: This bill extends the sunset date from January 1, 2011 to January 1, 2017 on existing law that allows specified types of vehicles to use an HOV lanes regardless of the number of occupants. However, under this bill the sunset date for the exemption for Hybrid vehicles would remain January 1, 2011.		

ACA 9 (Huffman) I-02/06/2009	Local government bonds: special taxes: voter approval.	02/10/2009-From printer. May be heard in committee March 9. (02/06/2009-A PRINT)	
	NOTE: This Constitutional Amendment would lower the voter threshold for local bonds and special taxes to 55% for infrastructure projects.		
ACA 15 (Arambula) I-03/10/2009	Local government transportation projects: special taxes: voter approval.	03/11/2009-From printer. May be heard in committee April 11. (03/10/2009-A PRINT)	
	NOTE: This measure amends the Constitution to allow a local government entity to impose a special tax for transportation purposes upon approval of 55% of the electorate.		
SB 10 (Leno) I-12/01/2008	Voter-approved local assessment.	01/29/2009-To Coms. on T. & H. and REV. & TAX. (01/29/2009-S T. & H.)	
	NOTE: This bill would allow any county to place on the ballot a measure to impose a vehicle license fee based on the market value of the vehicle. However, the combined state and local license fee rate can not exceed 2% of the vehicles value.		
SB 124 (Oropeza) I-02/04/2009	Air pollution: schoolbus idling and idling at schools.	03/16/2009-Set for hearing March 31. (02/23/2009-S T. & H.)	
	NOTE: This bill would codify existing regulations adopted by the State Air Resources Board that limit idling of diesel engines at or near a school.		
SB 165 (Lowenthal) I-02/14/2009	Federal transportation funds.	03/09/2009-To Com. on RLS. (03/09/2009-S RLS.)	
	NOTE: This is a spot bill that may be used to implement changes needed to allocate federal American Recovery and Reinvestment Act funds dedicated to highway projects. The bill currently contains Legislative intent language.		

	It now appears that AB 30 XXX will be the vehicle to implement the changes needed to allocate the transportation funds.		
SB 205 (Hancock) I-02/23/2009	Traffic congestion: motor vehicle registration fees.	03/16/2009-Set for hearing March 31. (03/09/2009-S T. & H.)	CMA-Sponsor
	NOTE: This is the reintroduction of AB 444 from last session. SB 205 would allow any county to place on the ballot a majority vote measure to impose up to a \$10 fee on each vehicle for the purpose of funding congestion mitigation and air quality programs.		
SB 391 (Liu) I-02/26/2009	California Transportation Plan.	03/12/2009-To Coms. on T. & H. and EQ. (03/12/2009-S T. & H.)	
	<p>NOTE: Under existing law Caltrans is required to prepare the California Transportation Plan which is used as a long range planning document for the state. The Plan was originally required to be submitted to the Governor by December 1, 1993.</p> <p>This bill would require Caltrans to update that plan and specifically address how the state will reduce greenhouse gas emissions to 1990 levels by 2020. The bill would require the plan to outline the multi-modal transportation system needed to achieve the AB 32 reductions.</p>		
SB 409 (Ducheny) I-02/26/2009	Department of Railroads.	03/12/2009-To Com. on T. & H. (03/12/2009-S T. & H.)	
	NOTE: This bill would create the Department of Railroads separate from Caltrans. SB 409 would consolidate the administration of intercity rail, freight rail, and high-speed rail, as well as grade separation programs within the new Department. The bill specifies that the High Speed Rail Authority shall be a division of the department, and the executive director shall report to the Director of Railroads.		

SB 425 (Simitian) I-02/26/2009	Vehicle trip reduction.	03/12/2009-To Coms. on T. & H. and EQ. (03/12/2009-S T. & H.)	
	NOTE: This bill would direct the Air Resources Board to work with Caltrans on developing a trip reduction program.  The bill currently requires the state to collect information from employers with 100 or more employees and regional transportation planning agencies information about existing trip reduction programs, evaluate that information, and develop additional incentives that reduce single occupant trips by 25% by 2015.		
SB 455 (Lowenthal) I-02/26/2009	High-speed rail.	03/12/2009-To Com. on T. & H. (03/12/2009-S T. & H.)	
	NOTE: This bill makes numerous technical changes that allow the High Speed Rail Authority (HSRA) to enter into contracts and purchase property consistent with existing law. In addition, the bill adds additional criteria on the expenditure of the High Speed Rail Bond funds on Phase I of the project.  Pursuant to SB 455, the HSRA shall ensure that one of the following criteria is meet when undertaking Phase 1 projects 1) enhances access to stations and terminals, with priority given to stations and terminals that serve the largest employment centers, 2) improvements to existing commuter and intercity rail service, and 3) projects that improve connections to San Joaquin Valley.		
SB 474 (Ducheny) I-02/26/2009	Transportation: reporting requirements.	03/12/2009-To Com. on RLS. (03/12/2009-S RLS.)	
	NOTE: The recently enacted budget agreement included demonstration programs on the use of design-build, public-private partnerships, and CEQA permit coordination for transportation projects. This bill would require Caltrans to provide an annual report to the Legislature on the progress of these demonstration programs.		

SB 485 (Wright) I-02/26/2009	State Highway Operation and Protection Program Emergency Funding Act.	03/12/2009-To Coms. on T. & H. and APPR. (03/12/2009-S T. & H.)	
	NOTE: This bill would enact the State Highway Operation and Protection Program Emergency Funding Act. SB 485 is little more than a spot bill that contains Legislative intent language to provide adequate funding for SHOPP projects.		
SB 518 (Lowenthal) I-02/26/2009	Vehicles: parking services and fees.	03/12/2009-To Coms. on T. & H. and ED. (03/12/2009-S T. & H.)	
	NOTE: This bill seeks to reduce traffic congestion and greenhouse gas emissions by eliminating state subsidies for parking and providing an incentive for cities and counties to overhaul local parking policies.		
SB 526 (Ashburn) I-02/27/2009	Intercity rail: study.	03/12/2009-To Com. on RLS. (03/12/2009-S RLS.)	
	NOTE: This spot bill includes intent language directing Caltrans to study the potential ridership increase by routing Amtrak trains over the Altamont Pass.		
SB 527 (Ashburn) I-02/27/2009	High-speed rail.	03/12/2009-To Com. on RLS. (03/12/2009-S RLS.)	
	NOTE: This spot bill includes legislative intent language to reorganize the High Speed Rail Authority to ensure greater oversight and accountability.		
SB 528 (Negrete McLeod) I-02/27/2009	Toll facilities: comprehensive development lease agreements.	03/12/2009-To Com. on T. & H. (03/12/2009-S T. & H.)	
	NOTE: This bill amends existing toll road law to prohibit a lease agreement from providing compensation for the adverse affects of a competing project.		

SB 535 (Yee) I-02/27/2009	Vehicles: HOV lanes.	03/12/2009-To Com. on T. & H. (03/12/2009-S T. & H.)	
	NOTE: This bill deletes the sunset date on existing law that allows exempts specified vehicles from HOV lanes occupancy requirements While the bill deletes the sunset date, the bill retains language that would repeal the HOV lane exemption if federal law does not authorize these exemptions.		
SB 560 (Ashburn) I-02/27/2009	Regional transportation plans: sustainable communities strategy.	03/12/2009-To Coms. on EQ. and T. & H. (02/27/2009-S PRINT)	
	NOTE: This bill would allow cities and counties that site wind, solar and biomass projects in their jurisdiction to receive a credit in the formulation of the sustainable communities strategy.		
SB 575 (Steinberg) I-02/27/2009	Local planning: housing element.	03/02/2009-Read first time. (02/27/2009-S PRINT)	
	NOTE: SB 575 will be the vehicle used to clean-up SB 375 from last session. The bill currently only contains a clarifying change to the San Diego Association of Governments.		
SB 632 (Lowenthal) I-02/27/2009	Ports: congestion relief: air pollution mitigation.	03/02/2009-Read first time. (02/27/2009-S PRINT)	
	NOTE: This bill would require the Ports of LA, Long Beach, and Oakland to assess their infrastructure and air quality needs and submit a report to the Legislature.		
SB 705 (Lowenthal) I-02/27/2009	Traffic congestion: infill housing.	03/02/2009-Read first time. (02/27/2009-S PRINT)	
	NOTE: Under existing law a city or county may establish infill opportunity zones for the purpose of developing mixed use projects. The streets within a zone are not subject to Level of Service requirements. SB 705 would remove the sunset date on the ability to designate infill opportunity zones.		



SB 716 (Wolk) I-02/27/2009	Local transportation funds.	03/02/2009-Read first time. (02/27/2009-S PRINT)	
	NOTE: This bill would authorize a county, city, county transportation commission, or operator may file a claim for local TDA funds for the operation of vanpool services and capitol improvements. This also includes vanpool services for farmworker transportation.		
SB 728 (Lowenthal) I-02/27/2009	Air pollution: parking cash-out program.	03/02/2009-Read first time. (02/27/2009-S PRINT)	
	NOTE: This bill would authorize the Air Resources Board, as well as cities, counties, local air districts to impose a civil penalty on employers that violate parking cash-out requirements.		
SB 802 (Leno) I-02/27/2009	Public contracts: retention proceeds.	03/02/2009-Read first time. (02/27/2009-S PRINT)	
	NOTE: This bill would limit retention proceeds to not more than 5%. Existing law requires retention amount to be not less than 5%.		

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## FY 2009 Bay Area Transportation Earmarks - Omnibus Legislation (H.R. 1105)

<b>Federal Highway Administration (FHWA)</b>	
<b>Ferry Boats and Ferry Terminals</b>	
Berkeley/Albany Ferry Service	\$ 475,000
Larkspur Ferry Terminal Parking Improvements	\$ 475,000
<b>Federal Lands Program</b>	
Fort Baker Transportation Upgrades	\$ 475,000
Presidio Transportation Demand Management Project	\$ 712,500
South Access to Golden Gate Bridge, Doyle Drive	\$ 2,612,000
<b>Interstate Maintenance</b>	
I-280/I-880/Stevens Creek Interchange Project, San Jose	\$ 950,000
I-580 HOV Lanes, Alameda County	\$ 475,000
<b>Surface Transportation Priorities</b>	
Harney Way Roadway Improvements, San Francisco	\$ 475,000
<b>Transportation, Community, and System Preservation (TCSP)</b>	
Branham Lane/Monterey Highway Rail Grade Separations, San Jose	\$ 475,000
Central Expressway Auxiliary Lanes	\$ 475,000
Golden Gate Bridge Moveable Barrier	\$ 950,000
I-80 Intermodal Corridor Study, Oakland, CA to Utah State Line	\$ 950,000
Park Street Pedestrian Safety Transportation Improvements	\$ 475,000
Sidewalk Construction in Ashland/Cherryland	\$ 475,000
<b>Total FHWA Earmarks</b>	<b>\$ 10,449,500</b>
<b>Federal Transit Administration (FTA)</b>	
<b>Alternatives Analysis</b>	
SMART Environmental Impact Report and Preliminary Engineering	\$ 427,500
Telegraph Avenue/International Boulevard/E. 14th Bus Rapid Transit	\$ 237,500
<b>Bus and Bus Facilities</b>	
Solano County Alternative Fuel Bus Replacement	\$ 760,000
Ed Roberts Campus, Berkeley	\$ 475,000
Vacaville Intermodal Station	\$ 475,000
Fairfield Transportation Center	\$ 475,000
Tri Delta Transit Park and Ride Lots	\$ 641,250
Union City Intermodal Station	\$ 475,000
<i>Subtotal Bus</i>	<i>\$ 3,301,250</i>
<b>Capital Investment Grants</b>	
San Francisco Muni Third Street Light Rail Project	\$ 10,000,000
AC Transit BRT Corridor	\$ 4,000,000
Livermore-Amador BRT	\$ 7,990,000
Van Ness BRT	\$ 400,000
<i>Subtotal Capital Investment Grants</i>	<i>\$ 22,390,000</i>
<b>Total FTA Earmarks</b>	<b>\$ 26,356,250</b>
<b>Federal Railroad Administration (FRA)</b>	
<b>Rail Line Relocation and Improvement Program</b>	
Transbay Transit Center	\$ 1,900,000
<b>GRAND TOTAL</b>	<b>\$ 38,705,750</b>

Prepared by MTC Staff, 3/11/09

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## MEMORANDUM

**TO:** Dennis Fay  
Alameda County Congestion Management Agency  
**FROM:** CJ Strategies  
**RE:** Legislative Update  
**DATE:** March 19, 2009

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### **FY09 Omnibus**

President Obama signed the FY09 Omnibus legislation on March 11. The House voted 245-178 with 16 Republicans supporting the bill and 20 Democrats opposing. The Senate voted 62-35 to invoke cloture (or end debate) on the legislation. Eight Republicans joined all but three Democrats. The bill totals \$410 billion and funds all domestic agencies and the State Department. The legislation provides more than \$31 billion, or 8 percent, more than the total discretionary funding in the FY08 bills. The total is \$19 billion more than what was requested by the Bush Administration.

Republicans have criticized the size of the bill as well as the refusal of Democrats to make the bill public to date. They would prefer to see another continuing resolution extending through the rest of this fiscal year.

- The bill provides \$40.7 billion for Federal Aid Highways. This amount is \$500 million less than the obligation limitation set by SAFETEA-LU.
- The transit title of the omnibus bill would provide \$8.26 billion for formula and bus programs, \$100 million less than the authorized level.
- The New Starts/Small Starts Capital Investment Program would receive \$1.81 billion in the omnibus bill, a \$240 million increase over last year's level. This number is equal to the SAFETEA-LU authorized level.
- The bill includes \$475,000 for the I-580 HOV lane project.

### **D.C. Meetings**

Representatives from the CMA and ACTIA participated in Hill and Administration meetings in Washington the week of March 2. CMA Chair Mark Green and ACTIA Chair Alice Lai-Bitker led the meetings.

#### *Hill Meetings*

The group met with the following House offices:

Representative Jerry McNerney, staff of Representatives Ellen Tauscher, Pete Stark and Barbara Lee. We discussed the allocation of Recovery funds and specific projects that will be

funded in their respective Congressional Districts. The group also focused on reauthorization of the surface transportation bill and the need for a stable financing source, the creation of a national program to support Active Transportation, the possibility of a self-help county coalition, and the need for a Goods Movement program, and a Smart corridors program that provides operations and maintenance funding.

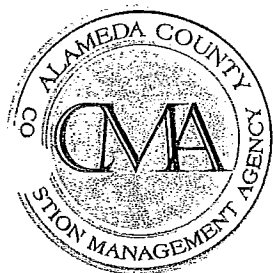
The group met with the following Senate offices:

- Staff of Senator Dianne Feinstein – the group met with Legislative Assistant Ryan Hunt who handles transportation appropriations for the Senator. The meeting focused on the FY10 funding request for the I-580 corridor.
- Staff of Senator Barbara Boxer – the group met with Legislative Assistant Bridget Petruczok, who handles both transportation authorization and appropriations issues for the Senator.
- Senate Environment and Public Works Committee – Senator Boxer is chair of the committee. The group met with the staff who will be drafting the surface transportation authorization bill. We talked about the need for a stable financing source, the creation of a national program to support Active Transportation, the possibility of a self-help county coalition, and the need for a Goods Movement program, and a Smart corridors program that provides operations and maintenance funding. The EPW staff talked about the possibility of an incentive for Active Transportation instead of a set-aside program.

#### *Department of Transportation Meetings*

The delegation participated in a series of meetings at DOT including meetings in the Office of the Secretary, FHWA and FTA.

- The Office of the Secretary's meeting (Joel Zabet – Acting Assistant Secretary for Policy) focused on the \$1.5 billion discretionary grant program to state/local governments and transit agencies. We were told the Secretary's office is still working on guidelines and we do not anticipate guidance before April. We also discussed authorization proposals and certain issues the Secretary has raised including: Livable Communities, Public Private Partnerships, and tolling for new capacity. These will likely be included in the proposal that is sent to Congress.
- The FTA meeting (Sean Libberton and Kristine Liephart – both Associate Administrators) focused on the Livability initiative and how Active Transportation can play a role in it, green initiatives and reducing VMT. We also raised the issue of the need for operations and maintenance funding for ITS projects.
- The FHWA meeting (King Gee – Associate Administrator for Infrastructure) centered on the idea of incentivizing self-help counties in the next authorization bill. The FHWA staff said it was an issue worth keeping on the table. We also discussed putting forward a proposal for HOT lanes.



ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

Attachment 4

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March 5, 2009

AC Transit  
Director  
Greg Harper

Alameda County  
Supervisors  
Nate Miloy  
Scott Haggerty

City of Alameda  
Mayor  
Beverly Johnson  
Vice Chair

City of Albany  
Councilmember  
Farid Javandel

BART  
Director  
Thomas Blalock

City of Berkeley  
Councilmember  
Kris Worthington

City of Dublin  
Mayor  
Tim Shanti

City of Emeryville  
Vice-Mayor  
Ruth Alkin

City of Fremont  
Councilmember  
Robert Wieckowski

City of Hayward  
Councilmember  
Olden Henson

City of Livermore  
Mayor  
Marshall Kamena

City of Newark  
Councilmember  
Luis Freitas

City of Oakland  
Councilmember  
Larry Reid

City of Piedmont  
Councilmember  
John Chiang

City of Pleasanton  
Mayor  
Jennifer Hosterman

City of San Leandro  
Councilmember  
Joyce R. Starosciak

City of Union City  
Mayor  
Mark Green  
Chair

Executive Director  
Dennis R. Fay

Ms. Carmela Campbell  
Union City Economic and Community Development Department  
34009 Alvarado-Niles Road  
Union City, CA 94587

SUBJECT: Comments on the Notice of General Plan Amendment, Horner/Veasay Area,  
AG-01-09

Dear Ms. Campbell:

Thank you for the opportunity to comment on the Notice of General Plan Amendment, Horner/Veasay Area, AG-01-09. The site is bounded by the Alameda County Flood Control District dredging basin on the north, Whipple Road on the east, Benson Road on the south and Old Alameda Creek on the west. The project includes a General Plan Amendment to amend the text of the General Plan Land Use and Economic Elements to clarify the goals and policies for the 19-acre Horner/Veasay Area. The Amendment would identify site constraints and the vision to guide future development in the area. The amendment would also accommodate the creation of an ML-HV, Horner/Veasay Light Industrial District. It would also amend the Transportation Element to update the Bicycle and Pedestrian Networks to modify a proposed bicycle route linking the Central Bay Industrial Park to neighboring residential developments and update the Station District Area to reflect current improvements.

We have reviewed the proposal for a GPA and have no comment because the project does not appear to generate 100 or more P.M. peak hour trips above conditions, in the existing General Plan, which would otherwise require the Land Use Analysis Program compliance. The GPA is, therefore, exempt from the Land Use Analysis Program of the Congestion Management Program.

Thank you for the opportunity to comment on this Notice of Preparation. Please do not hesitate to contact me at 510/836-2560 if you require additional information.

Sincerely,

Diane Stark  
Senior Transportation Planner

cc: file: CMP - Environmental Review Opinions - Responses - 2009

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